

ESTTA Tracking number: **ESTTA1135830**Filing date: **05/24/2021**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	Kravet Inc.		
Entity	Corporation	Citizenship	Delaware
Address	225 CENTRAL AVENUE SOUTH BETHPAGE, NY 11714 UNITED STATES		
Attorney information	JOSHUA M. DALTON MORGAN, LEWIS & BOCKIUS LLP ONE FEDERAL STREET ATTN: TMSU BOSTON, MA 02110 UNITED STATES Primary Email: trademarks@morganlewis.com Secondary Email(s): josh.dalton@morganlewis.com, rachelle.dubow@morganlewis.com, peter.byrne@morganlewis.com, trademarks@morganlewis.com 6179518284		
Docket Number	110290-0001		

**Applicant Information**

Application No.	90371787	Publication date	04/27/2021
Opposition Filing Date	05/24/2021	Opposition Period Ends	05/27/2021
Applicant	Li Jiaonv NO. 61, BAISHU, BUCUN VILLAGE QUANJIANG TOWN, SUICHUAN COUNTY GANZHOU CITY, JIANGXI, 343900 CHINA		

**Goods/Services Affected by Opposition**

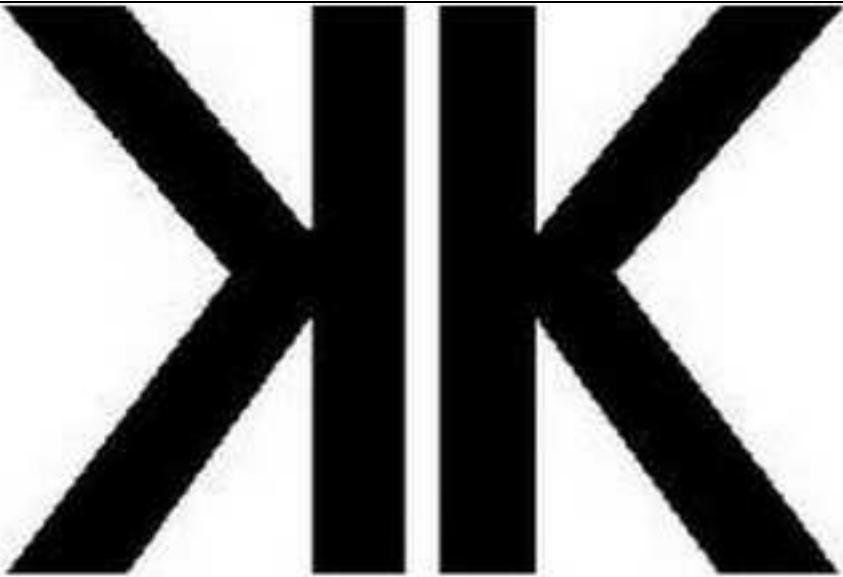
Class 020. First Use: 2020/08/15 First Use In Commerce: 2020/08/15

All goods and services in the class are opposed, namely: Chairs; Corks; Couches; Desks; Furniture; Mattresses; Pillows; Playpens; Stools; Air beds, not for medical purposes; Bamboo furniture; Bathroom and shaving mirrors; Beach chairs; Beauty salon furniture; Clothes hangers; Clothes rods; Cratecovers for pets; Curtain rings; Fishingtools; Hand-held folding fans; Indoor window blinds; Infant walkers; Inflatable furniture; Inflatable pillows; Kennelsfor household pets; Massage tables; Maternity pillows; Metal shelving; Non-metal storage boxes for general use; Personal compact mirrors; Pet furniture; Picture frames; Plastic boxes; Plastic shipping and storage boxes; Plastic tissue box covers; Seat cushions; Sleeping bag pads; Sleeping mats; Television stands; Towel racks; Wall-mounted tool racks; Woodenboxes with a locked storage area for personal items

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
--------------------------------------	----------------------------

## Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	5145145	Application Date	05/11/2016
Registration Date	02/21/2017	Foreign Priority Date	NONE
Word Mark	KK		
Design Mark			
Description of Mark	The mark consists of a stylized design of two letters "K".		
Goods/Services	<p>Class 004. First use: First Use: 2015/04/20 First Use In Commerce: 2015/04/20 Candles and perfumed candles</p> <p>Class 011. First use: First Use: 2007/01/05 First Use In Commerce: 2007/01/05 Lamps, accent lights for indoor use, candle lanterns, ceiling lights, chandeliers, decorative lighting in the nature of electrically-illuminated lanterns, desk lamps, electric lamps and lanterns, electric lighting fixtures, electric lighting fixtures, namely, sconces, sconce lighting fixtures, electric luminaires, floor lamps, lamp bases, lamp shades, outdoor lamps, lanterns for lighting, light shades, lighting apparatus, namely, lighting installations, lighting tracks, luminaires</p> <p>Class 016. First use: First Use: 2015/04/20 First Use In Commerce: 2015/04/20 Aquarelles, water colors in the nature of finished painting, bookends, chromolithographs in the nature of chromos, graphic prints, graphic reproductions, graphic representations, lithographic works of art, lithographs, oleographs, framed or unframed paintings, photo-engravings, photograph stands, photographs in the nature of printed pictures, posters, printengravings</p> <p>Class 020. First use: First Use: 1992/09/01 First Use In Commerce: 1992/09/01 Custom furniture; upholstered furniture; furniture, namely, armchairs, armoires, bar carts, lounge chairs, bedroom furniture, beds, bed bases, bed frames, headboards, bedroom furniture, tables, bedside tables, night tables, night stands, wardrobes, benches, book stands, bookcases, bookshelves, breakfronts, buffets, cabinets, chairs, easy chairs, chair beds, seating, seat cushions, stools, seating furniture, chest of drawers, namely, commodes, cheval floor mirrors, console tables, credenzas, cupboards, hutches, desks, writing desks, dining chairs,</p>		

	<p>diningtables, side boards, dressers, drop-leaf tables, end tables, Ã#tagÃ#re, sleeper sofas, sofa beds, sofas, flower-pot pedestals, umbrella stands, kitchen furniture, outdoor furniture, library furniture, living room furniture, television stands, chaise lounges, loveseats, couches, occasional tables, divans, ottomans, settees, metal furniture, mirrored cabinets, non-metal chests; screens, folding floorscreens, movable wall partitions, oriental folding partitions screens; fireplace screens; drapery hardware, namely, traverse rods, poles, curtain rods, curtainrollers, curtain hooks, curtain rails, curtain rings, decorative window finials, curtain tiebacks not of textile, curtain tieback holders not of textile, curtain tie-backs in the nature of non-textile curtain holders, brackets, end caps, wall sockets, connectors, wand/draw rod, eyelet rings, gilders, eyelet clip, wall-mounts, ceiling mounts, grommet rings, and swivel joints; fabric window blinds, textile window blinds, interior textilewindow blinds, window shades, decorative boxes made of wood, decorative boxes made of plastic, letter boxes not of metal or masonry, letter boxes made of wood and plastic decorative centerpieces of bone, ivory, plaster, wax, wood, acrylic; letter boxes made of plastic, pillows, accent pillows, bed pillows, floor pillows; picture frames, frames for painting not of precious metal, frames for oil paintings not of precious metal, frames for paintings, leather picture frames, mirror frames</p> <p>Class 021. First use: First Use: 2015/04/20 First Use In Commerce: 2015/04/20 Boxes of glass, busts of porcelain, ceramic, earthenware or glass, non-electriccandelabras, candle jars, ceramics for household purposes, namely, bowls, outdoor garden stools made of ceramic, china ornaments, coasters, not of paper and other than table linen, containers for household or kitchen use, crystal beverage glassware, decanters, dishes, trays namely, decorative trays, display trays, serving trays, vases, works of art of porcelain, earthenware, figurines in the nature of statuettes of porcelain, ceramic, earthenware or glass, glass jars in the nature of carboys, glass stoppers, glasscaps, glass bowls, jugs in the nature of pitchers, kitchen containers, trays for domestic purposes, works of art of porcelain, ceramic earthenware or glass</p> <p>Class 027. First use: First Use: 1987/01/31 First Use In Commerce: 1987/01/31 Floor coverings, floor mats, bath mats, and matting for covering existing floors; textile wallpaper; cloth wallcoverings; decorative wall hangings not of textile</p>
--	---

Attachments	87032732#TMSN.png( bytes ) Kravet Notice of Opposition KKK mark .pdf(133221 bytes ) Exhibit A.pdf(93070 bytes )
-------------	---

Signature	/Joshua M. Dalton/
Name	Joshua M. Dalton
Date	05/24/2021

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

KRAVET INC.,

Opposer,

v.

LI JIAONV,

Applicant.

In re Application Serial No. 90/371,787

Mark: KKK

Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

Opposer Kravet Inc. (“Opposer”), by and through its counsel, hereby files this Notice of Opposition against Li Jiaonv (“Applicant”). Opposer believes that it will be damaged by registration of the mark KKK (“Applicant’s Mark”), applied for in connection with “Chairs; Corks; Couches; Desks; Furniture; Mattresses; Pillows; Playpens; Stools; Air beds, not for medical purposes; Bamboo furniture; Bathroom and shaving mirrors; Beach chairs; Beauty salon furniture; Clothes hangers; Clothes rods; Crate covers for pets; Curtain rings; Fishing stools; Hand-held folding fans; Indoor window blinds; Infant walkers; Inflatable furniture; Inflatable pillows; Kennels for household pets; Massage tables; Maternity pillows; Metal shelving; Non-metal storage boxes for general use; Personal compact mirrors; Pet furniture; Picture frames; Plastic boxes; Plastic shipping and storage boxes; Plastic tissue box covers; Seat cushions; Sleeping bag pads; Sleeping mats; Television stands; Towel racks; Wall-mounted tool racks; Wooden boxes with a locked storage area for personal items” in class 20 (“Applicant’s Goods”) as shown in Application Serial No. 90/371,787 (the “Application”), and hereby opposes the registration of

Applicant's Mark pursuant to Section 13(a) of the Trademark Act of 1946, as amended (the "Lanham Act"), 15 U.S.C. § 1063(a).

As grounds for the opposition, Opposer alleges as follows:

**Opposer's Trademark Rights**

1. Opposer is a Delaware Corporation with its principal place of business at 225 Central Avenue South Bethpage, New York, 11714.

2. Opposer is a leading manufacturer and supplier of furniture, fabrics, carpet, lighting, wall coverings and trimmings. Opposer has used stylized, back-to-back letter "Ks" (the "KK Marks") for several decades in connection with its goods, including with furniture.

3. In addition to Opposer's extensive common law rights in the KK Marks, Opposer owns active U.S. federal trademark registrations for the KK Marks, including Reg. No. 5,145,145 (the "Kravet Registration") for use in connection with "Custom furniture; upholstered furniture; furniture, namely, armchairs, armoires, bar carts, lounge chairs, bedroom furniture, beds, bed bases, bed frames, headboards, bedroom furniture, tables, bedside tables, night tables, night stands, wardrobes, benches, book stands, bookcases, bookshelves, breakfronts, buffets, cabinets, chairs, easy chairs, chair beds, seating, seat cushions, stools, seating furniture, chest of drawers, namely, commodes, cheval floor mirrors, console tables, credenzas, cupboards, hutches, desks, writing desks, dining chairs, dining tables, side boards, dressers, drop-leaf tables, end tables, Étagère, sleeper sofas, sofa beds, sofas, flower-pot pedestals, umbrella stands, kitchen furniture, outdoor furniture, library furniture, living room furniture, television stands, chaise lounges, loveseats, couches, occasional tables, divans, ottomans, settees, metal furniture, mirrored

cabinets, non-metal chests; screens, folding floor screens, movable wall partitions, oriental folding partitions screens; fireplace screens; drapery hardware, namely, traverse rods, poles, curtain rods, curtain rollers, curtain hooks, curtain rails, curtain rings, decorative window finials, curtain tiebacks not of textile, curtain tieback holders not of textile, curtain tie-backs in the nature of non-textile curtain holders, brackets, end caps, wall sockets, connectors, wand/draw rod, eyelet rings, gilders, eyelet clip, wall mounts, ceiling mounts, grommet rings, and swivel joints; fabric window blinds, textile window blinds, interior textile window blinds, window shades, decorative boxes made of wood, decorative boxes made of plastic, letter boxes not of metal or masonry, letter boxes made of wood and plastic decorative centerpieces of bone, ivory, plaster, wax, wood, acrylic; letter boxes made of plastic, pillows, accent pillows, bed pillows, floor pillows; picture frames, frames for painting not of precious metal, frames for oil paintings not of precious metal, frames for paintings, leather picture frames, mirror frames” in class 20. A copy of the certificate of registration is attached hereto as **Exhibit A**.

4. The Kravet Registration is valid and subsisting, in full force and effect, and constitutes *prima facie* and/or conclusive evidence of Opposer’s exclusive right to use the KK Mark in commerce in connection with the goods specified therein.

5. During its longstanding, continuous use of the KK Marks, Opposer has expended considerable time, effort and money in advertising and promoting its KK Marks.

6. As a result of these efforts, and the high quality of the goods sold under the KK Marks, Opposer has developed substantial goodwill in its KK Marks.

**Applicant's Application for KKK**

7. Upon information and belief, Applicant is an individual with a principal place of business in Ganzhou City, China.

8. Applicant seeks to register the KKK mark in connection with Applicant's Goods.

9. Applicant filed the Application on December 10, 2020, claiming a first use date of August 15, 2020, both of which dates are long after Opposer commenced use of the KK Marks in the United States.

10. The Application was published for opposition in the *Official Gazette* on April 27, 2021. As a result, the expiration of this opposition period is May 27, 2021. Thus, this Notice of Opposition has been timely filed.

**FIRST CAUSE OF ACTION**  
**Likelihood of Confusion**

11. Opposer incorporates by reference and realleges as though fully set forth herein the allegations of paragraphs 1 through 10 of this Notice of Opposition.

12. Opposer's rights in and to the KK Marks are superior to those of the Applicant in Applicant's Mark.

13. Applicant's application for and use of Applicant's Mark are without the consent, authorization, or license of Opposer.

14. Applicant's Mark is confusingly similar in appearance, sound, and commercial impression to Opposer's KK Marks in particular because Opposer's KK Mark is fully encompassed by Applicant's Mark, with the only difference being an additional "K" in Applicant's Mark.

15. In addition, Applicant's Goods compete or overlap with, are directly related to, and/or are complementary to the goods and services that Opposer promotes, offers and sells under its KK Marks.

16. Upon information and belief, the goods sold in connection with Opposer's KK Marks and the goods set forth in the Application are intended to be directed to some of the same or similar classes of purchasers and to be distributed through some of the same or similar channels of trade in the United States.

17. Opposer will be damaged by the registration sought by Applicant because Applicant's Mark so resembles Opposer's KK Marks as to be likely, when used on or in connection with the goods identified in the Application, to cause confusion, mistake or to deceive consumers, with consequent injury to Opposer and to the public, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

WHEREFORE, Opposer believes it will be damaged by registration of Applicant's Mark shown in Application Serial No. 90/371,787 and respectfully requests that the registration sought by Applicant be refused.

Dated: May 24, 2021

Respectfully submitted,



By: \_\_\_\_\_

Joshua M. Dalton  
Rachelle A. Dubow  
Morgan Lewis & Bockius LLP  
One Federal Street  
Boston, MA 02110  
Tel: 617-951-7700  
Email: josh.dalton@morganlewis.com

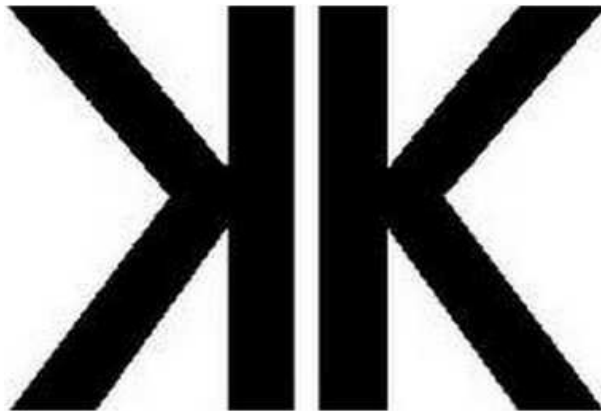
rachelle.dubow@morganlewis.com

Peter G. Byrne  
Morgan Lewis & Bockius LLP  
One Market Street, Spear Street Tower  
San Francisco, CA 94105  
Tel: 415-442-1000

Attorneys for Opposer  
Kravet Inc.

# United States of America

## United States Patent and Trademark Office



**Reg. No. 5,145,145**

**Registered Feb. 21, 2017**

**Int. Cl.: 4, 11, 16, 20, 21,  
27**

**Trademark**

**Principal Register**

Kravet Inc. (DELAWARE CORPORATION)  
225 Central Avenue South  
Bethpage, NY 11714

CLASS 4: Candles and perfumed candles

FIRST USE 4-20-2015; IN COMMERCE 4-20-2015

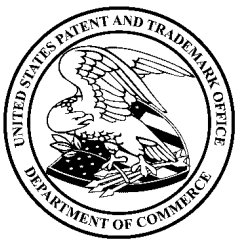
CLASS 11: Lamps, accent lights for indoor use, candle lanterns, ceiling lights, chandeliers, decorative lighting in the nature of electrically-illuminated lanterns, desk lamps, electric lamps and lanterns, electric lighting fixtures, electric lighting fixtures, namely, sconces, scone lighting fixtures, electric luminaries, floor lamps, lamp bases, lamp shades, outdoor lamps, lanterns for lighting, light shades, lighting apparatus, namely, lighting installations, lighting tracks, luminaries

FIRST USE 1-5-2007; IN COMMERCE 1-5-2007

CLASS 16: Aquarelles, water colors in the nature of finished painting, bookends, chromolithographs in the nature of chromos, graphic prints, graphic reproductions, graphic representations, lithographic works of art, lithographs, oleographs, framed or unframed paintings, photo-engravings, photograph stands, photographs in the nature of printed pictures, posters, print engravings

FIRST USE 4-20-2015; IN COMMERCE 4-20-2015

CLASS 20: Custom furniture; upholstered furniture; furniture, namely, armchairs, armoires, bar carts, lounge chairs, bedroom furniture, beds, bed bases, bed frames, headboards, bedroom furniture, tables, bedside tables, night tables, night stands, wardrobes, benches, book stands, bookcases, bookshelves, breakfronts, buffets, cabinets, chairs, easy chairs, chair beds, seating, seat cushions, stools, seating furniture, chest of drawers, namely, commodes, cheval floor mirrors, console tables, credenzas, cupboards, hutches, desks, writing desks, dining chairs, dining tables, side boards, dressers, drop-leaf tables, end tables, Étagère, sleeper sofas, sofa beds, sofas, flower-pot pedestals, umbrella stands, kitchen furniture, outdoor furniture, library furniture, living room furniture, television stands, chaise lounges, loveseats, couches, occasional tables, divans, ottomans, settees, metal furniture, mirrored cabinets, non-metal chests; screens, folding floor screens, movable wall partitions, oriental folding partitions screens; fireplace screens; drapery hardware, namely, traverse rods, poles, curtain rods, curtain rollers, curtain hooks, curtain rails, curtain rings, decorative window finials, curtain tiebacks not of textile, curtain tieback holders not of textile, curtain tie-backs in the nature of



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

non-textile curtain holders, brackets, end caps, wall sockets, connectors, wand/draw rod, eyelet rings, gilders, eyelet clip, wall mounts, ceiling mounts, grommet rings, and swivel joints; fabric window blinds, textile window blinds, interior textile window blinds, window shades, decorative boxes made of wood, decorative boxes made of plastic, letter boxes not of metal or masonry, letter boxes made of wood and plastic decorative centerpieces of bone, ivory, plaster, wax, wood, acrylic; letter boxes made of plastic, pillows, accent pillows, bed pillows, floor pillows; picture frames, frames for painting not of precious metal, frames for oil paintings not of precious metal, frames for paintings, leather picture frames, mirror frames

FIRST USE 9-1-1992; IN COMMERCE 9-1-1992

CLASS 21: Boxes of glass, busts of porcelain, ceramic, earthenware or glass, non-electric candelabras, candle jars, ceramics for household purposes, namely, bowls, outdoor garden stools made of ceramic, china ornaments, coasters, not of paper and other than table linen, containers for household or kitchen use, crystal beverage glassware, decanters, dishes, trays namely, decorative trays, display trays, serving trays, vases, works of art of porcelain, earthenware, figurines in the nature of statuettes of porcelain, ceramic, earthenware or glass, glass jars in the nature of carboys, glass stoppers, glass caps, glass bowls, jugs in the nature of pitchers, kitchen containers, trays for domestic purposes, works of art of porcelain, ceramic earthenware or glass

FIRST USE 4-20-2015; IN COMMERCE 4-20-2015

CLASS 27: Floor coverings, floor mats, bath mats, and matting for covering existing floors; textile wallpaper; cloth wallcoverings; decorative wall hangings not of textile

FIRST USE 1-31-1987; IN COMMERCE 1-31-1987

The mark consists of a stylized design of two letters "K".

OWNER OF U.S. REG. NO. 4271934, 2821173, 4594099

SER. NO. 87-032,732, FILED 05-11-2016

ALAIN J LAPTER, EXAMINING ATTORNEY

## REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

### Requirements in the First Ten Years\*

#### What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

### Requirements in Successive Ten-Year Periods\*

#### What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

### Grace Period Filings\*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**